

Town of Pine Ridge

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IN ACCORDANCE WITH GOVERNOR MCMASTER'S EXECUTIVE ORDER ON SOCIAL DISTANCING, THERE WILL ONLY BE TEN CITIZENS ALLOWED IN COUNCIL CHAMBERS. THE PUBLIC IS ENCOURAGED TO EMAIL WRITTEN COMMENTS TO THE MUNICIPAL CLERK AT skyzer@townofpineridgesc.com

JULY 28, 2020 REGULAR SCHEDULED PLANNING COMMISSION MEETING AGENDA

6:30 P.M. - Call to Order

Freedom of Information Act Compliance

Approval of Minutes

1. October 22, 2019 – Regular scheduled meeting
2. November 26, 2019 – Meeting cancelled
3. January 28, 2020 – Meeting cancelled
4. February 25, 2020 – Meeting cancelled
5. March 24, 2020 – Meeting cancelled
6. April 28, 2020 – Meeting cancelled
7. May 28, 2020 – Meeting cancelled
8. June 23, 2020 – Meeting cancelled

Old Business

No Old Business

New Business

1. Review & Recommendation to Town Council:
ZLDO Section 904.2 - Signs Exempt from Permit Requirement
(8) Signs announcing Candidates

Citizen's Comment Time– (email to skyzer@townofpineridgesc.com)

ADJOURN

For your convenience, an Agenda with attachments is available online at www.townofpineridgesc.com.

TOWN OF PINE RIDGE
Planning Commission Minutes
Regular Scheduled Meeting
July 28th, 2020



Planning Commission Meeting – 6:36 P.M.

Call to Order

Chairman Kerr called the Planning Commission to order at 6:36 P.M. with Vice-Chairman Merchant and Commission Member Shealy present.

Staff present: Planning Official, Mrs. Miller and Municipal Clerk, Mrs. Kyzer.

Freedom of Information Act Compliance

Public notification of this meeting has been published, posted, and mailed in compliance with the Freedom of Information Act.

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Chairman Kerr asked the Planning Commission Members if they had a chance to review the minutes submitted.

Vice-Chairman Merchant made a motion to approve the October 22, 2019, November 26, 2019, January 28, 2020, February 25, 2020, March 24, 2020, April 28, 2020, May 28, 2020 and June 23, 2020, minutes as submitted. Commission Member Shealy seconded the motion, which opened the item up for discussion.

Commission Members discussed the October 22, 2019 minutes.

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Vice-Chairman Merchant amended his previous motion to amend the minutes of October 22, 2019, under New Business, Item 1, page 3, as follows:

- Vice-Chairman Merchant stated that the 16th bullet point needs to change from “retailing” to “retaining”.
- Vice-Chairman Merchant stated that the 18th bullet point needs to change to read “Sand in road from property”, which will remove “backing up to Leander Drive and Hyland Circle”.

Commission Member Shealy seconded the amended motion.

Chairman Kerr called for a final vote to approve the November 26, 2019, January 28, 2020, February 25, 2020, March 24, 2020, April 28, 2020, May 28, 2020, June 23, 2020 minutes as submitted and October 22, 2019 as amended. The Planning Commission Members unanimously approved.

Old Business

No Old Business

New Business

1. Review & Recommendation to Town Council:
ZLDO Section 904.2 – Signs Exempt from Permit Requiring
(8) Signs announcing Candidates

Chairman Kerr asked Mrs. Miller if she could explain to the Commission what this item is about.

Mrs. Miller stated the following:

Council is asking that the Planning Commission review the sign ordinance regarding restrictions on political candidate signs. During her research, she discovered that this question from Council should actually have two parts.

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Along with the June primaries came a ton of political signs that varied in sizing and location. Our current ordinance states that political signs shall be confined to private property, out of the right-of-way and not exceeding fifteen square feet per sign face.

Per Ordinance, enforcement of the Town Codes and Zoning fall under the PD Code Enforcement, which then notifies the Planning Official of the violation and the Planning Official sends a letter notifying the property owner/resident/candidate of the violation. After 15 days, the violation is sent back to Code Enforcement for verification of compliance, at which time a ticket may be issued for failure to comply with the ordinance.

A complaint was made on 6/8/2020 about the sizes and location of some of these signs. The Police Department was notified of the complaint but a verification was never received. The signs were picked up by the candidates' campaign people after 6/9/2020, but the remaining two candidate signs remained until the runoff was over on 7/23/2020. The winning runoff candidate still had two signs in town, in which Councilman Simms contacted to pick up. All signs have been picked up as of July 28th. Council's question is: Does the County or other Municipalities have size limits on political signs? Mrs. Miller directed the Commission to a spread sheet, showing the County and other Municipalities size requirements.

The other part to this question that Council was unaware of, is that the sign ordinance relating to specific topics needs to change due to a legal case, Reed v. Town of Gilbert (Arizona), that stated Municipalities cannot have different rules based on the content of the sign. Although this case was based in Arizona, the US Supreme Court clarified when municipalities may impose

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content-based restrictions on signage, which they equate to restrictions on speech. The Justices wrote opinions that content-based regulations should not always automatically trigger stricter scrutiny.

One remedy for the holding in Reed, is to treat all temporary signs the same as to size and duration. Currently, the Town's section 904.2 creates three classes of temporary signs based on size and three classes of temporary signs based on duration. These classes could be made uniform. The Planning Commission could recommend an amendment of Section 904.2 (and its items 6, 8, and 9) to accomplish this uniformity. The Planning Commission could also recommend to delete these sections out of 904.2 and incorporate those into Section 906.2 Temporary Signs and Standards. 904.2 (8) could be removed totally as it is also mentioned in Section 903.1 (9).

The Planning Commission members and Mrs. Miller discussed various Sections of the Sign Ordinance and a visual was set up to view different sign sizes.

Vice-Chairman Merchant made a motion to change the size limit in Section 904.2, items 8 & 9 to stipulate the size to be no more than 6 square feet.

Committee member Shealy seconded the motion, which was unanimously approved.

904.2 (8) Signs announcing candidates seeking public office or relating to any election or public referendum. Such signs shall be confined to placement on private property and not exceeding ~~fifteen (15)~~ six (6) square feet per sign face. Such signs shall be removed within seven (7) days after the election or referendum has been decided.

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904.2(9) Temporary garage sale signs in residential districts. Limitations: advertisement contained on any garage sale sign shall be limited to “Garage Sale” and address only and shall not exceed ~~four~~ (4) six (6) square feet per sign face. Sign must not be placed more than seven (7) days before the event and removed within twenty-four (24) hours of event. In accordance with the Zoning Ordinance Section 612.1, garage sales shall not be advertised by more than one off-site advertising sign and one on-site advertising sign.

Citizen’s Comment Time

Municipal Clerk, Ms. Kyzer stated that there were no citizen’s comments.

ADJOURN

Chairman Kerr called for a motion to adjourn.

With no further business to discuss, Vice-Chairman Merchant moved to adjourn, with a second by Commission Member Shealy. With the Planning Committee’s unanimous approval, Chairman Kerr adjourned the meeting at 7:27 P.M.

Respectfully Submitted,

Susan Kyzer, Municipal Clerk

APPROVED:

Kendrick Kerr, Chairman

APPROVED 8/25/2020